

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HIMELDA MENDEZ,  
Plaintiff,

-v-

BATH & BODY WORKS, LLC,  
Defendant.

19-CV-9856 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Himelda Mendez brought suit against Bath & Body Works, LLC, alleging that the company's failure to sell Braille gift cards is discrimination prohibited by federal and state law. Bath & Body Works moved to dismiss the complaint under Federal Rule of Civil Procedure 12(b)(6), and the Court concluded that Mendez has failed to state a claim. (Dkt. No. 24.) The Court allowed Plaintiff to file a letter motion requesting leave to file a second amended complaint on or before October 6, 2020, or to otherwise file a status letter, warning that if Plaintiff does not amend a file a letter before then that the Court would enter final judgment and direct the Clerk of Court to close this case. (*Id.*) As Plaintiff has failed to file anything with the Court, this case is dismissed with prejudice.

The Clerk of Court is directed to enter judgment for Defendant Bath & Body Works, LLC accordingly, and to close this case.

SO ORDERED.

Dated: October 7, 2020  
New York, New York



J. PAUL OETKEN  
United States District Judge